

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GERONIMO F. ROSADO, JR.,

*Plaintiff,*

v.

CITY OF COATESVILLE *et al.*,

*Defendants.*

CIVIL ACTION

NO. 19-02426

**ORDER**

**AND NOW**, this 30th day of March 2020, upon consideration of Rosado's Amended Complaint (ECF No. 6), Ken's Towing's Motion to Dismiss (ECF No. 14), the City of Coatesville and Corporal Boyle's Motion to Dismiss (ECF No. 16), Rosado's Responses (ECF Nos. 17 & 19), and Ken's Towing's Reply (ECF No. 21), it hereby **ORDERED** that:

1. Ken's Towing's Motion is **GRANTED**;
2. The City of Coatesville and Corporal Boyle's Motion is **GRANTED** in part and **DENIED** in part;
3. The federal claims in the Amended Complaint are **DISMISSED with prejudice**, with the exception that Rosado's procedural due process claim against Corporal Boyle in Count II may proceed;
4. Rosado's state law claims are **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1367(c)(2);
5. Ken's Towing's Motion to Strike (ECF No. 27) is **DENIED** as moot; and
6. Corporal Boyle shall **FILE** an answer on or before Wednesday, April 15, 2020.

BY THE COURT:

/s/ *Gerald J. Pappert*

GERALD J. PAPPERT, J.